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C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 002300

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SUBJECT: DOES JORDAN'S NEW ASSOCIATIONS LAW COVER THE MUSLIM BROTHERHOOD?

REF: A. AMMAN 1465

- [¶](#)B. 06 AMMAN 5222
- [¶](#)C. AMMAN 2062
- [¶](#)D. AMMAN 1569
- [¶](#)E. AMMAN 2171

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Classified By: Charge d'Affaires Daniel Rubinstein
for reasons 1.4 (b) and (d).

[¶](#)1. (C) Summary: A sub-plot in the debate over the new law on associations (Ref A) has been the issue of whether it applies to the Jordanian Muslim Brotherhood (JMB). The JMB insists that it is more than a mere NGO, and has a "special status" as a result of its long-standing relationship with the state. Political opponents of the JMB counter that the organization will be forced to conform to the law just like any charitable society. Contacts disagree on whether the JMB is an association or not, and have little in the way of documentation to back up their claims in either direction. For its part, the government is sitting out the debate. While it seems possible that the new law could be used to regulate JMB activities, it would be a major step for the GOJ to attempt to do so. End Summary.

Opening Pandora's Box

[¶](#)2. (U) During a parliamentary debate on June 4, leftist MP Bassem Hadadin (Zarqa 1st) raised the possibility that the legal status of the Muslim Brotherhood could be impacted by the Associations Law (Refs A, C). Hadadin acknowledged that he was touching on the sensitive issue of JMB-Jordanian government relations. In his speech, he said that he was looking to "talk about what had never been discussed" and described the JMB's status as a "hush-hush question." In a June 8 interview with Aljazeera.net, Hadadin explained that he valued the political contribution of Jordan's Islamists, and was looking to prevent an "exploitation" of the JMB's status by the Jordanian government, which Hadadin said would "freeze political reform in the country by using the Muslim Brotherhood as a scarecrow."

JMB Reaction

[¶](#)3. (U) Reaction from the JMB's political wing, the Islamic Action Front (IAF), was swift. MP Hamzah Mansour (Amman 2nd) rejected Hadadin's reasoning in a speech on the floor of parliament, saying that the Muslim Brotherhood is not an association as such, but rather an entity with a unique status that would not be impacted by the new law. Speaking to Aljazeera.net, JMB Shura Council leader Abdulatif Arabiyat said that the question was nothing more than "meddling in old issues." He reaffirmed Mansour's assertions, saying that the JMB has received constant assurances from "senior state officials" that its status is "outside the realm of

discussion".

¶4. (SBU) Even so, Arabiyat tacitly acknowledged that the issue of the JMB's status under the new law could be used to undermine its independence when he invoked similar tactics used by pro-government politicians in the early 1990s, when the IAF's star was on the rise and its parliamentary delegation was much larger. Arabiyat also brought up the status of the Islamic Center Society, the JMB-linked organization whose board was subjected to a takeover by the judiciary in July 2006 (Ref A).

¶5. (U) Newly-elected JMB Controller General Hamam Sa'id weighed in on the new associations law in a June 11 posting on the group's website. "We know and others know that a number of laws were enacted for the sole reason of curbing the popularity of the Muslim Brotherhood, cutting it down to size, preventing its spread, and preventing it from serving its society and nation," Sa'id said. Sa'id then expanded his critique to the law's overall impact on civil society, decrying the "interference" in the affairs of civil society and ministerial oversight that the law would permit, adding that "such a form of martial law is rejected."

Is the JMB an Association?

¶6. (C) There are many opinions, but precious few facts, on the legal status of the JMB. Musa Khalaileh, a tribal conservative MP from Zarqa who heads the Labor and Social Development Committee, told poloff on July 1, "They are an association, just like all the others." While Khalaileh does not believe that the law was aimed at the JMB, he definitely sees the potential for reigning in the Brotherhood as a side benefit. MP Abdullah Gharaibeh believes that the JMB is

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"under the law, regardless of its label," noting that the implementing regulations and governmental practice will end up bringing the JMB under the law's authority. Amin Mushaqba, who was Minister of Social Development in the mid-1990s, cited the 1956 registry of an Islamist association as proof that at least part of the JMB would fall under the new law.

¶7. (SBU) The JMB itself continues to reject any argument that suggests it is subject to the law. In a June 20 appearance on Al-Jazeera, IAF Controller General Zaki Beni-Irsheid categorically stated, "the Muslim Brotherhood is not subject to the Associations Law, and it is not licensed as a charitable society. The Muslim Brotherhood was established in parallel with the state...violating the Muslim Brotherhood's legitimacy will mean condemnation of Jordan's entire history...(which) dealt with the movement as one of the components of the Jordanian state." Hammam Sa'id, in a posting on the JMB website, wrote "(The Muslim Brotherhood) has become an idea...it is no longer just a movement or group. No legislation will succeed in eliminating or abolishing it. Those who imagine that laws can curb the Brotherhood's activity are deluding themselves."

¶8. (U) In a June 15 commentary in mainstream daily Al-Ghad, columnist (and former editor-in-chief) Ayman Al-Safadi called the JMB a "unique case" - something more than a mere charitable association. Characterizing the JMB as a creation of the state - not the government - Safadi warned that "the government should not impose changes that do not take into consideration the truth on the ground or the acquired rights that were given to the Muslim Brotherhood since 1946." The consequences of a move against the JMB could be long-lasting, he argued, saying that "the government cannot put politics before the law when it is in its interest without taking into consideration the outcome of its methods." Safadi proposed the creation of new legislation to establish a special status for the JMB and its affiliates, in recognition of its "complicated history."

¶9. (C) Al-Ghad journalist, former Muslim Brother, and JMB-watcher Mohammed Abu Rumman told Poloff on July 1 that the Associations Law is a "sword on the neck of the JMB." While he does not believe that the law is an intentional political offensive against the group, he believes that it "opens the door in the future" to possible legal intervention in the JMB's governance. Abu Rumman characterized the law as part of a larger "indirect struggle" on the part of the government to minimize the group's influence on politics, economics, and society. In general, Abu Rumman believes that the Associations Law is part of a broader Jordanian government effort to interfere directly in the JMB's operations (Ref C).

¶10. (C) The GOJ itself has refrained from weighing in on the official status of the JMB. Minister of Social Development Hala Latouf told us July 29 that she does not consider the JMB itself to fall under the new law, but indicated that charitable associations under the JMB's umbrella would have to comply with the statute.

Comment

¶11. (C) As described Refs A and C, the new associations law enhances the government's powers with regards to the activities of NGOs and CSOs, but the GOJ was entirely absent from the debate about its applicability to the JMB. Latouf' assertion that she, as the Minister empowered by the law to oversee NGOs, is not concerned with the JMB's affairs, is likely genuine, if only because the GOJ's tools to influence, and when needed, contain the Brotherhood reside primarily with the security services and Interior Ministry. The possibility of exerting control over the JMB's charitable affiliates, however, suggest that the bill is a potential arrow in the government's quiver should it choose to ratchet up the confrontation.

Rubinstein